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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

NORTHERN PASS PDD
1226 LOUDON ROAD
APPLICATION FOR FINAL PLAN REVIEW
SUBDIVISION

THE STENOGRAPHIC MINUTES of the above entitled
PUBLIC HEARING and subsequent vote by NANCY
STRANG-VANDEBOGART, a Shorthand Reporter, commencing on
December 3, 2013 at 8:30 p.m. at The Public Operations
Center, 347 Old Niskayuna Road, Latham, New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
KATHY DALTON
TIMOTHY LANE

ALSO PRESENT:
Elena Vaida, Esq., Counsel to the Planning Board
Joe LaCivita, Director, Planning and Economic Development
Joe Grasso, PE, CHA
Nick Costa, PE, Advanced Engineering
Richard Rosetti, Rosetti Homebuilders
Robert Edginton

1 MR. LACIVITA: Peter, would you like me to do a
2 quick summary?

3 CHAIRMAN STUTO: Yes.

4 MR. LACIVITA: We have before us the northern Pass
5 PDD at 1226 Loudon Road. This is an application for
6 final plan review and subdivision. We have 18 four-unit
7 condominiums totaling 72 units, three eight-unit
8 apartments, 14 four-units and a one-story office with a
9 25-lot subdivision. We have a SEQRA that was adopted on
10 May 22, 2012 and as I said, the applicant is here for
11 final approval this evening on the Northern Pass PDD.
12 I'll turn it over to Rich Rosetti.

13 MR. ROSETTI: Hi, we're here tonight for final
14 approval on our subdivision. We have Nick Costa here to
15 make a presentation and we're here for any questions.

16 MR. COSTA: Good evening. My name is Nick Costa
17 and I'm with Advanced Engineering and we've done the
18 site planning and designing of this Northern Pass
19 subdivision.

20 I also have here some handouts of the elevations.
21 I believe that these are later than the ones that were
22 handed out previously. If you could take one for each
23 of the Planning Board Members?

24 First of all, the Northern Pass project has been in
25 front of this Board several times and there has been

1 several iterations of the layout of the Northern Pass
2 project and we've worked closely with the Town
3 Designated Engineer and the Town Departments into coming
4 up with this proposal that you are considering tonight
5 for final approval. I would just like to remind
6 everyone some of the details of the project.

7 The project is located on Route 9, New Loudon Road,
8 on the west side of it. It encompasses about 50.5 acres
9 of land. The characteristics of the site are such that
10 it has some interesting boundaries. On the north side
11 it's bound by the Town of Colonie Bike Path and also a
12 little bit to the northwest it was the Town of Colonie
13 Park. Also of interest is the site topography.

14 The site topography is such that it drains toward
15 the Mohawk, which is located to the west of the site.
16 The residents that use the Town Bike Path had developed
17 an intricate trail system that is used by mountain
18 bikes, bikes, walkers and people that walk their pets.
19 This is all existing and well developed. These folks
20 are currently using it.

21 As I'll get to later in the presentation, one of the
22 benefits of the development of the Northern Pass project
23 is that the Town will benefit because the applicant will
24 donate 23.75 acres of land which encompasses the
25 existing trail system to the Town and lends itself very

1 well to becoming a great asset for the Town.

2 CHAIRMAN STUTO: Can you run your fingers around
3 the donated land?

4 MR. COSTA: Sure. It encompasses this area right
5 here all the way out to Route 9 (Indicating). It does
6 give it frontage to Route 9 which is another benefit for
7 the Town residents because it will provide access to the
8 bike path which currently does not exist without going
9 through the tunnel under Route 9. We do show an area of
10 parking for people that want to utilize it.

11 MS. GOMEZ: How many spots is that?

12 MR. COSTA: There are seven at this location.

13 There are some of the other details of the project,
14 as Joe mentioned. There is 18 four-unit condominiums
15 proposed, two stories and two units on each side; three
16 eight-units apartment buildings are located right here
17 (Indicating). Then, there is the roadway system that
18 will bring in the utilities and provide access to these
19 facilities. The important thing to note about these
20 roadways is that they're going to be privately owned and
21 maintained by the Northern Pass Homeowners' Association.
22 So, the Town does not have to expend their efforts to
23 doing snow plowing or repairing these roadways. The
24 roadway system does start here on Route 9, Loudon Road,
25 just south of the intersection of Fonda Road which has a

1 light signal to control that intersection. Then it
2 continues as shown on the drawing but it does have
3 access in connection to Old Loudon Road as an emergency
4 connection. This will also provide access as a
5 multi-use path for people that live in the Dutch Meadow
6 area to access the bike path. They could come down this
7 path and then use either the sidewalk or a dedicated
8 lane for bikes to get down to the bike path.

9 The utilities for the site are going to be brought
10 in. The water is going to be brought in from Route 9.
11 There is an existing watermain along the west side of
12 Route 9. We're going to connect to it and bring the
13 services to the various units and move it back to the
14 main that exists over at Loudon Road. This will provide
15 a loop system which will be a benefit because it will
16 provide two ways of servicing these homes.

17 The stormwater will be privately owned and there
18 will be two stormwater ponds. These stormwater
19 detention basins are in accordance with New York State
20 DEC Stormwater requirements and also the Town of Colonie
21 requirements. The site does drain to the south and also
22 drains to the west, as I said before.

23 The other utility that this project will be
24 constructing is a sanitary sewer system. The sanitary
25 sewer system will be constructed gravity along the

1 proposed roadways and then it discharges into a proposed
2 pump station location here that will connect to an
3 existing six-inch force main. The existing six-inch
4 force main currently discharges into the Schaffer Road
5 pump station which was identified early on in this
6 project as being a source of a lot of maintenance and a
7 lot of expense. The applicant will be constructing a
8 new force main on Schermerhorn Road that will divert the
9 sewer flows to go to the Dutch Meadow gravity system,
10 which will really improve the situation at the Schaffer
11 Road pump station.

12 This layout came after many, many iterations and
13 again, working closely with the Town departments and
14 also the TDE, and it minimizes the impacts that it has
15 to the existing site. It really preserves a lot of open
16 space. There is 23.75 acres that are going to be
17 preserved which is almost half of the 50 acres. Then
18 there is also four other parcels that are going to be
19 dedicated to the HOA. So, it really meets the
20 Comprehensive Plan which speaks of these conservation
21 areas for compact development. The walkability and the
22 bikeability. All those are incorporated into this plan.

23 This also minimizes the impacts to wetlands. As
24 you can see, we are crossing the wetlands at this
25 location which is the location where we minimize the

1 amount of disturbance to the existing wetlands.

2 That's pretty much my summary of the Northern Pass
3 project. I think that we have some elevations.

4 This is the condominium elevation. This is the
5 apartment building elevation, and this is the office
6 building elevation.

7 So, if there are any questions, I would be more
8 than happy to try to answer them.

9 CHAIRMAN STUTO: We had a set of elevations in our
10 packet.

11 MR. COSTA: Yes, I think that the ones that we had
12 distributed tonight match the ones that I have here on
13 the board. They've been updated.

14 CHAIRMAN STUTO: So, the ones in the package are
15 obsolete?

16 MR. COSTA: That's correct.

17 CHAIRMAN STUTO: Do you want to talk about the
18 finished briefly on the buildings?

19 MR. ROSETTI: In keeping with the traditional style
20 residential look, even the office building, we didn't
21 make it look like an office building. We tried to make
22 it more like a residential -

23 CHAIRMAN STUTO: Can you show where that is located
24 on the map?

25 MR. ROSETTI: That's going to be located right here

1 (Indicating). The apartments are located here and
2 everything else is going to be condos. So, the finishes
3 that we used; use of stone siding, maintenance free
4 siding, cedar shakes which are vinyl cedar shakes for
5 low maintenance. There will be architectural shingles
6 and the same thing on the condominiums, except that we
7 use brick and we used arched topped windows over the
8 doors so that it gives it a little bit better look
9 because garage doors on the front. And the same thing
10 on the office building; architectural shingles and
11 maintenance free siding, window trims, some stone and
12 some cedar shakes.

13 CHAIRMAN STUTO: You have single family houses too,
14 as well, right?

15 MR. ROSETTI: No, just these three.

16 CHAIRMAN STUTO: This is the 25-lot subdivision?
17 That's in your summary in the agenda, Joe.

18 MR. LACIVITA: Yes, it's actually on the summary.

19 MR. GRASSO: It is a subdivision because of the
20 creation of the condominium lots.

21 CHAIRMAN STUTO: Okay, got it.

22 Anything else in your presentation before we turn
23 it over to the Town Designated Engineer?

24 MR. ROSETTI: I think that we spent a lot of time
25 and we spent a lot of time with Joe. We spent a lot of

1 time looking at minimizing the impacts. We worked with
2 the Town to incorporate the bike path and trails in with
3 the Town Park and the bike path. It was a natural fit.

4 The fact that we're maintaining the roads ourselves
5 is a great benefit to the Town because they won't have
6 the cost of the snow plowing or the maintenance on the
7 roads and we gave great accessibility to some of the
8 residents that already live there with the bike path
9 without having to go out onto Route 9.

10 CHAIRMAN STUTO: Okay, thank you. We'll turn it
11 over to our TDE, Joe Grasso.

12 MR. GRASSO: The project has been in the planning
13 process for years now and it's getting to the final
14 stages of review. The project required a zone change so
15 it required conceptual review by the Planning Board and
16 actually a zone change by the Town Board. Prior to
17 those approvals, a SEQRA determination had to be made
18 which covers all approvals associated with the project.
19 So, SEQRA is already done for the project that required
20 a negative declaration. A copy of that is in your
21 packet tonight so that no additional SEQRA review is
22 required. We have reviewed the project for conformance
23 with the SEQRA determination as well as the previous PDD
24 findings and deem them consistent. The project has
25 advanced into a very detailed site plan review stage so

1 it's being reviewed tonight for final site plan review
2 and subdivision plan review. Subdivision plan review
3 requires another public hearing. So, tonight is the
4 scheduled public hearing that covers the proposed
5 subdivision.

6 We've got a comment letter dated November 13th in
7 your packets. There are not many comments there because
8 there has been numerous comment letters provided by our
9 office as the plans have been advanced over the past
10 couple of years. The plans have also been reviewed
11 multiple times by Town departments. The only Town
12 department that remains any comments and they are
13 relatively minor and that's from the Pure Waters
14 Department regarding the design of the sanitary sewer
15 system and the pump station and the access road as such.
16 We've been working on addressing those comments with the
17 applicant over the last couple of weeks and any changes
18 from this point forward are minor and should not effect
19 the look or feel of the project.

20 One of the items in our comment letter, just to
21 make the Board aware, was the providing of sanitary
22 sewer service to adjoining properties which was brought
23 up during earlier public reviews of the project. Our
24 recommendation was to extend easements to at least one
25 of the adjoining properties that would allow a sanitary

1 sewer service to be constructed in the future by at
2 least one of the adjoining properties. One of the
3 things that was considered was the extension of
4 additional sewer easements to adjoining properties but
5 in listening to feedback from the Army Corp of Engineers
6 and their concerns over impact, they would not permit
7 this applicant to not restrict portions of the project
8 site. So, in effect, they are prohibiting this project
9 from accommodating future sewer service to additional
10 properties.

11 CHAIRMAN STUTO: Can somebody show up on the map
12 where the easement will be?

13 MR. GRASSO: Nick, if you could talk about the
14 Travis property and adjacent properties?

15 MR. COSTA: This is the Travis property right here
16 (Indicating). We're providing an easement to Plank Road
17 here, where they could get into the gravity sanitary
18 sewer system. Another location is right here between
19 these units (Indicating). We've also extended the sewer
20 line out to Route 9 to provide access for some of these
21 other homes to be able to connect to the sewer system.
22 We have made provisions for the neighbors to connect to
23 the sewer system.

24 CHAIRMAN STUTO: Where is the portion where the
25 Army Corp is prohibiting it?

1 MR. GRASSO: All the light blue areas are Corp
2 wetlands.

3 MR. COSTA: It's through their jurisdictional area.
4 Section 404 of their regulations prohibits permission
5 without showing the least impact to their wetlands.

6 MR. GRASSO: We've gotten correspondence directly
7 from the Army Corp of Engineers that prohibits this
8 project from providing sewer accommodations.

9 CHAIRMAN STUTO: So, you're in agreement?

10 MR. GRASSO: We are in agreement. I just want to
11 bring it to the Board's attention because it was
12 something that we had discussed early on at the
13 conceptual review stage and we made good faith attempts
14 to try and provide alternative sewer accommodations.
15 Like Nick said, they extended a sewer out to Route 9 and
16 it would require those other properties to go through
17 the Travis property, which they are providing an
18 easement to, or run a sewer along Route 9 and then
19 connect into the public sewer system. Accommodations
20 are there, just not as we had originally envisioned. I
21 just wanted to bring that to the Board's attention.
22 Other than that, it's ready for final planning review
23 tonight. Obviously, it's the public hearing tonight so
24 there will be an opportunity to hear from the public.
25 Just in terms of the new elevations were submitted that

1 were presented, we didn't have a chance to compare
2 against the original elevations. So, if you could
3 describe what those changes were and why?

4 MR. COSTA: They are renderings versus a drawing.
5 We took those drawings and we had them rendered and then
6 we put some of the different materials that we'll be
7 using on it. They're exactly the same.

8 MR. GRASSO: So, we feel comfortable.

9 CHAIRMAN STUTO: Members of the public?

10 Robert Edgington.

11 MR. EDGINGTON: My name is Robert Edgington. I
12 live at 1224 New Loudon Road.

13 CHAIRMAN STUTO: Can you show us on that map?

14 MR. EDGINGTON: I'm right here (Indicating).

15 CHAIRMAN STUTO: That's a single family home?

16 MR. EDGINGTON: Yes. I have a few concerns. I've
17 done work for Rich Rosetti through John Morrow. I know
18 that he's a good developer and all that. I'm just
19 wondering what kind of traffic problems this is going to
20 give me getting in and out of my driveway. I don't know
21 how far down that road that is going to be. Is it
22 between me and 1224 and 1228?

23 MR. COSTA: It's between 1224 and 1232.

24 MR. EDGINGTON: So, it's out toward the bike path?
25 Instead of between me and that other house?

1 MR. COSTA: I'm saying that it's right here
2 (Indicating).

3 MR. EDGINGTON: You also have another house in
4 there - a business.

5 MR. COSTA: There is 1226, which is us. Then there
6 is 1232, and then you have 1224 which is you.

7 MR. EDGINGTON: What is that other house that sits
8 in there? That's 1228; right? You guys would be 1226.

9 MR. COSTA: Right.

10 MR. EDGINGTON: There is another building next to
11 my house. I'm just trying to figure out how close this
12 entrance would be to my driveway to where it would
13 impede me getting in and out of my driveway. That's
14 first because that's important to me. If you have all
15 these condominiums and apartments and everything else
16 going back in this place, how the heck and I going to
17 get in and out of my driveway? And if you lived next
18 door, you'd have a problem. I don't have a problem with
19 him. I just have a problem with getting in and out of
20 my driveway.

21 You were talking about the water run-off which I
22 don't know how exactly you guys would put it, but
23 they're saying that it's going to go out the west end of
24 their property. Was that going to be all woods next to
25 the back end of my property where I don't have lights

1 coming in from the buildings in my back windows? These
2 are little things to you guys and it's not little to me.
3 I'm not trying to be rude. I've dealt with commercial
4 work. I'm a mason and I've done work for him.

5 I don't know if there is going to be a sign put out
6 on Route 9 where I won't be able to see up Route 9 how
7 close they are allowed to put it when the traffic is
8 coming down this way. I have to look that way just to
9 get out of my driveway. I don't know how far it's going
10 to be back. I don't have anything. I've never gotten
11 any information sent to my house telling me that any of
12 this stuff was going to be done. I just knew about the
13 project when I went to the meeting three years ago.

14 I don't know how much run-off is going to go into
15 that water shed that is behind me, and if that's going
16 to impede onto my property or if any of that water goes
17 down into there from these properties. I'm not trying
18 to be rude.

19 MR. COSTA: We can't have more water going off our
20 site. We have to retain it. If anything, you're going
21 to have less water coming off.

22 CHAIRMAN STUTO: I would really rather have him get
23 all of his issues out.

24 MR. EDGINGTON: That's what I'm trying to get out.

25 I guess that's pretty much it.

1 CHAIRMAN STUTO: I've made notes if you want to try
2 to address them.

3 MR. COSTA: Sure. The driveway is 150 feet. There
4 is 150 feet between the centerline of the driveway and
5 the centerline of the new road. That's between here and
6 here (Indicating). We have the sewer coming right down
7 to here. If you wanted to hook up to that -- it's 150
8 feet.

9 As far as the run-off, we're capturing all of the
10 run-off that's coming off of here and we're taking it
11 down to here (Indicating). That's all going to be a
12 closed drain system. It's going to be catch basins and
13 pipes and it's going to go over to this detention basin.
14 As Rich mentioned, the detention basin will go into that
15 which will help the situation that has been going on
16 here historically.

17 As far as distance, our first unit, the closest
18 unit to you is this unit right here (Indicating). That
19 unit is, I believe, over 500 feet from Route 9. It's
20 about from the back of your house, 200 feet. Between
21 your house and the back of that unit, it's going to be
22 400 feet of buffer. It's going to remain.

23 MR. ROSETTI: And that property can't be built on
24 it because part of the Association property, it becomes
25 part of the community that owns it and it can't be built

1 on. You'll know that nobody can build there.

2 MR. COSTA: In the wetlands area behind that -
3 we're not touching that. The only thing that we're
4 doing is we're putting a culvert under this road. So
5 the water can run that way. That's the only work that
6 we're doing.

7 MR. EDGINGTON: I understand all of that and they
8 do plug up. I don't know how big your culverts are
9 going to be, but the leaves, the debris and the branches
10 all get in there.

11 MR. COSTA: The TDE requested that we put an
12 additional pipe above the one at the bottom that we're
13 putting in the bottom of the drainage, so that if that
14 does happen, it will have an escape route without taking
15 out the road.

16 MR. EDGINGTON: The run off goes across my driveway
17 and goes down on your property for storm drainage from
18 the drain that's in front of my house.

19 MR. COSTA: And that's going to keep going that
20 way. We're not going to interrupt that.

21 MR. EDGINGTON: Okay, I just don't want my property
22 getting flooded.

23 CHAIRMAN STUTO: He also asked about signage and
24 sight lines.

25 MR. COSTA: There is a proposed sign, but that sign

1 will be within the property lines.

2 CHAIRMAN STUTO: Anybody else on this project that
3 would like to speak from the public?

4 (There was no response.)

5 CHAIRMAN STUTO: Okay, Board Members? Let's start
6 with Susan.

7 MS. MILSTEIN: I don't have anything.

8 CHAIRMAN STUTO: Karen?

9 MS. GOMEZ: No, I'm good.

10 CHAIRMAN STUTO: Tim?

11 MR. LANE: Maybe I missed it, but you mentioned the
12 lighting as well. I imagine that you have
13 down-lighting?

14 MR. ROSETTI: Yes, these are residential units. It
15 would be the same as the light at the back door of your
16 house.

17 MR. LANE: So, no lighting in the parking lot?

18 MR. COSTA: There is a lighting plan as part of the
19 documents that were reviewed and the lighting
20 projection -

21 MR. GRASSO: Are there lights along the road?

22 MR. COSTA: Yes.

23 MR. GRASSO: So, there are lights along the road.
24 There are lights in the parking lot for the office
25 building and everything else is just going to be

1 residential.

2 MR. LANE: So, you'll still get the ambient
3 lighting, to some extent.

4 MR. GRASSO: There will be no light spillage upon
5 his property by any means because of the distance.

6 CHAIRMAN STUTO: Brian?

7 MR. AUSTIN: There is a wetland buffer?

8 MR. GRASSO: Just so that you understand, the only
9 construction that would occur between the units and his
10 residence would be if that sewer was utilized for a
11 sewer over to the Travis property. That could be a
12 future construction. Not necessarily with this project,
13 but the Travis' will have that right to do that.

14 MR. COSTA: There would be clearing.

15 MR. GRASSO: But there would still be a substantial
16 buffer. That's not to misrepresent what could occur.

17 MR. AUSTIN: I'm very glad to see that you kept in
18 mind the area, like the bikepaths and the walk through
19 and things like that. It's a nice area back there.
20 I've walked back there many times. Those are nice
21 trails back there. I know that we had one of the
22 meetings speaking about that. They were concerned about
23 that. Thank you for your concerns in keeping that as
24 part of the project.

25 MR. ROSETTI: They are well developed.

1 CHAIRMAN STUTO: Lou.

2 MR. MION: I have nothing.

3 CHAIRMAN STUTO: Kathy?

4 MS. DALTON: Dalton.

5 CHAIRMAN STUTO: Thank you. I think this is what a
6 PDD is supposed to be which is you give certain things
7 back to the Town and the residents, and so on. I think
8 that the cluster is good, as well. I think that it's a
9 great project for that area.

10 SEQRA is all done?

11 MR. GRASSO: SEQRA is all done and it's ready for
12 subdivision approval and site plan approval.

13 CHAIRMAN STUTO: Anybody want to make that motion
14 for final subdivision approval?

15 MS. DALTON: I'll make that motion.

16 MR. MION: I'll second it.

17 MR. GRASSO: Conditioned upon departmental comments
18 and CHA sign off.

19 CHAIRMAN STUTO: So conditioned.

20 Any discussion?

21 (There was no response.)

22 CHAIRMAN STUTO: All those in favor say aye.

23 (Ayes were recited.)

24 CHAIRMAN STUTO: All those opposed say nay.

25 (There were none opposed.)

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CHAIRMAN STUTO: The ayes have it.

(Whereas the proceeding was concluded at 8:49 p.m.)

CERTIFICATION

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I, NANCY STRANG-VANDEBOGART, Shorthand Reporter
and Notary Public in and for the State of New York,
hereby CERTIFY that the record taken by me at the time
and place noted in the heading hereof is a true and
accurate transcript of same, to the best of my ability
and belief.

NANCY STRANG-VANDEBOGART

Dated December 31, 2013

